IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

WP(C).No. 3576 of 2007(A)

PETITIONER:

M.V.ALIKUTTY, S/O. SAIDALI,
AGED 35 YEARS, MADATHIL VALAPPIL HOUSE,
ATHAVANAD P.O., MALAPPURAM DISTRICT.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS:
----

1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, MALAPPURAM.

2. THE KOTTAKKAL CO-OPERATIVE URBAN BANK, KOTTAPPADI, KOTTAKKAL, MALAPPURAM DISTRICT.

3. THE AUTHORIZED OFFICER(GENERAL MANAGER), KOTTAKKAL CO-OPERATIVE URBAN BANK, KOTTAPPADI, KOTTAKKAL, MALAPPURAM DISTRICT.

BY ADV. SRI.DEVAPRASANTH.P.J.
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.C.NO.3576/07

PETITIONER'S EXHIBITS

EXT.P1 **TRUE COPY OF THE NOTICE DTD. 2-1-07 PUBLISHED BY THE SECOND RESPONDENT BANK IN THE CHANDRIKA DAILY.**

EXT.P2 **TRUE COPY OF THE CIRCULAR DTD. 27-2-06 OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES.**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

\- -

W.P.(c).No.3576 OF 2007

\- -

Dated this the 5th day of October, 2007

JUDGMENT

Petitioner availed a loan which is not repaid. It is the common case that though there is an interim order, it has not been complied with. I feel that petitioner can be permitted to pay off the entire amount due in instalments. The writ petition is disposed of as follows:

Recovery steps against the petitioner will be kept in abeyance for a period of one month, if the petitioner remits the amount of Rs. 2.5 lakhs (Rupees two lakhs fifty thousand only) on or before 20/10/2007. If the petitioner pays the amount as aforesaid, he will be permitted to pay off the entire amount remaining to be paid with due interest in 10 equal monthly instalments. The second respondent will serve a statement on the petitioner within two weeks from the date of payment of the aforesaid amount showing the amount remaining to be paid by the petitioner with due interest and also the amount of instalements to be paid on the basis that petitioner has to pay the

amount in 10 equal instalments. The first instalment shall be payable on or before 20/11/2007. Remaining instalments are to be paid on or before the 20th working day of every succeeding months. If the petitioner does not pay either 2.5 lakhs on or before 20/10/2007 or any of the instalments, petitioner will lose the benefit of this judgment and it will be open to the second respondent to proceed against the petitioner in accordance with law.

(K.M.JOSEPH, JUDGE)

sv.